IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

WP(C).No. 6105 of 2007(B)

PETITIONER:

T.R.RADHAKRISHNAN,
ANIMAL KEEPER, THIRUVANANTHAPURAM ZOO,
THIRUVANANTHAPURAM.

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY,
CULTURAL DEPARTMENT, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR,
MUSEUM & ZOO DEPARTMENT,
THIRUVANANTHAPURAM ZOO,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 6105 of 2007

Dated this the 23rd day of February, 2007

JUDGMENT

The petitioner has been working as Animal Keeper in the Thiruvananthapuram Zoo since 1993. His service has not been regularised. Persons, similarly situated, made applications before the Government to regularise their services. The Government considered such requests favourably, taking into account the reports submitted by the second respondent. It is seen that the second respondent has expressed a similar view as far as the service of the petitioner is concerned. If the statement made by the petitioner that he has been working since 1993 is factually correct, the first respondent has got a duty to consider the request made by the petitioner for regularisation of his service, not only in the light of the benefits granted to similarly situated persons, but also in terms of the observations made by the constitutional bench of the apex Court in **State of Karnataka v**

Umadevi (2006(4) SCC 1), para 53, in particular.

2. Heard the Government Pleader for the respondents.

3. There shall be an order directing the first respondent to consider Ext.P7 on merits and dispose of the same in the light of the observations made herein above, within two months from the date of receipt of a copy of the judgment.

K.K.DENESAN, JUDGE

CSS